



St. Charles Parish
Meeting Agenda
Parish Council
Introductions

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
scpcouncil@st-charles.la.us
<http://www.stcharlesparish-la.gov>

Council Chairman Wendy Benedetto
Councilmembers Carolyn K. Schexnaydre, Snookie Fauchaux,
Terrell D. Wilson, William Billy Woodruff, Paul J. Hogan,
Larry Cochran, Traci A. Fletcher, Julia Fisher-Perrier

Monday, September 16, 2013

6:00 PM

Courtroom II, Courthouse

Final

INTRODUCTIONS

ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

Monday, October 7, 2013, 6:00 pm, Council Chambers, Courthouse, Hahnville

2012-0057 (9/16/2013, Hogan)

An ordinance to amend the Code of Ordinances Appendix A, Section VI. E. Batture Districts to revise (II) from B-2. Industrial batture district to B-2(M) Moderate Industrial batture district and to add (III) B-2. Industrial batture district.

Legislative History

2/7/12 Legislative Committee Discussed.

Speakers:

Ms. Kimberly Marousek, Planning & Zoning Director

5/4/12 Council Member(s) Remediation Request Fwd'd Department of Planning & Zoning

6/7/12 Department of Planning & Zoning No Recommendation Planning Commission

6/7/12 Planning Commission Recommended Denial Parish Council

6/18/12 Council Member(s) Introduced

6/18/12 Parish Council Publish/Scheduled PH

6/18/12 Parish Council Postponed Indefinitely from Intro. Pass

Discussion: to postpone indefinitely File No. 2012-0057 from introduction

7/2/12 Council Member(s) Introduced

7/2/12 Parish Council Publish/Scheduled PH

7/2/12 Parish Council Postponed Indefinitely from Intro. Pass

Discussion: to postpone indefinitely File No. 2012-0057 from introduction

8/5/13 Council Member(s) Introduced

8/5/13 Parish Council Publish/Scheduled PH
 8/19/13 Parish Council PH Requirements Satisfied

Reported:
 Councilman Hogan Recommended: Approval
 Speakers:
 Mr. Milton Allemand, Hahnville

8/19/13 Parish Council Approved Fail
 Council Discussion

Proposed ordinance failed for lack of a majority by the following vote

9/16/13 Council Member(s) Introduced

S* 2013-0342 (9/16/2013, Hogan)

An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of "NO PARKING" signs on both sides of JB Green Road from its intersection with Highway 90 and its intersection with Highway 631 in Des Allemands.

Legislative History

9/16/13 Council Member(s) Introduced

S* 2013-0343 (9/16/2013, St. Pierre, Jr., Grants Office)

An ordinance approving and authorizing the execution of Change Order No. 2 (Final) for the Hurricane Gustav/Ike Community Development Block Grant (CDBG) Disaster Recovery Program Project No. 45PARA3201, the Edward A. Dufresne Community Center, to decrease the contract amount by \$44,576.14 and increase the contract time by sixteen (16) days.

Legislative History

9/16/13 Parish President Introduced

S* 2013-0344 (9/16/2013, Hogan)

An ordinance to amend the Code of Ordinances, Appendix A. St. Charles Parish Zoning Ordinance of 1981, establishing "Towing Yard" as an 'Allowable Use' in the M-1 Zoning District.

Legislative History

9/5/13 Department of Planning & Zoning No Recommendation Planning Commission

9/5/13 Planning Commission Recommended Denial Parish Council

9/16/13 Council Member(s) Introduced

S* 2013-0345 (9/16/2013, Hogan, Fisher-Perrier)

An ordinance to amend the Code of Ordinances Appendix A, VI, C; [I.] 1, c. Special permit uses and structures by adding (4) Mobile homes within the CR-1 zoning district upon review and approval by the Planning and Zoning Commission and supporting resolution of the Parish Council.

Legislative History

9/5/13 Department of Planning & Zoning No Recommendation Planning Commission

9/5/13 Planning Commission Recommended Approval Parish Council

9/16/13 Council Member(s) Introduced

- S* **2013-0346** (9/16/2013, St. Pierre, Jr., Grants Office, Schexnaydre, Fauchaux, Wilson, Woodruff, Benedetto, Hogan, Cochran, Fletcher, Fisher-Perrier)
 An ordinance to approve and authorize Amendment No. 2 to the Intergovernmental Agreement between the Coastal Protection and Restoration Authority of Louisiana and St. Charles Parish for the St. Charles West Bank Hurricane Protection Levee project, State Project No. OCPR-BA-85.

Legislative History

9/16/13 Parish President Introduced

- S* **2013-0347** (9/16/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Todd Galland - "Sparta Properties, LLC" - a home improvement contractor- at 119 Meredith Place, Hahnville.

Legislative History

7/24/13 Department of Planning & Zoning Received/Assigned PH

9/5/13 Department of Planning & Zoning Recommended Approval Planning Commission

9/5/13 Planning Commission Recommended Approval Parish Council

9/16/13 Parish President Introduced

- S* **2013-0348** (9/16/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing a Home Office under the operation of Kelly Harmon - "Extreme Offshore Fishing Charters, LLC" - a charter fishing company- at 126 Franklin Street, Luling.

Legislative History

7/23/13 Department of Planning & Zoning Received/Assigned PH

9/5/13 Department of Planning & Zoning Rcmnd'd Approval w/Stip. Planning Commission

Approval with the following stipulations -

1. That large boats used for charter by Extreme Offshore Fishing Charters, LLC not be parked at the residence at any time.

9/5/13 Planning Commission Rcmnd'd Approval w/Stip. Parish Council

Approval with the following stipulations -

1. That large boats used for charter by Extreme Offshore Fishing Charters, LLC not be parked at the residence at any time.

9/16/13 Parish President Introduced

- S* **2013-0349** (9/16/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance approving and authorizing a Home Occupation under the operation of Michael L. Hamilton- "Destrehan Repairs" - a gunsmith- at 304 Amelia Street, Destrehan.

Legislative History

6/20/13 Department of Planning & Zoning Received/Assigned PH

9/5/13 Department of Planning & Zoning Rcmnd'd Approval w/Stip. Planning Commission

Approval with the following stipulations -

1. A stipulation that the applicant obtain the required federal license prior to obtaining an occupational license for a gunsmith.

2. A stipulation that no transfer of firearms occur at the residence at any time.

3. A stipulation that all guns for sale be secured in a locked safe or cabinet when on the premise.

9/5/13 Planning Commission Recommended Denial Parish Council

9/16/13 Parish President Introduced

S* 2003-0225 (9/16/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from B1 to B2 on a portion of batture measuring 463' X 173' (approximately 2 acres) and located 150' north of the intersection of Gourgues Street with River Road in Section 2, T12S R20E, Hahnville, La, as requested by Bayou Fleet Partnership, LLP.

Legislative History

4/25/03	Department of Planning & Zoning	Received/Assigned PH	
6/3/03	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/3/03	Planning Commission	Recommended Approval	Parish Council
6/16/03	Parish President	Introduced	
6/16/03	Parish Council	Publish/Scheduled PH	
7/7/03	Parish Council	PH Requirements Not Satisfied	
7/7/03	Parish Council	Rmv'd and Reintroduced	Pass

Discussion: to remove and reintroduce File No. 2003-0225 for Public Hearing on Monday, July 21, 2003

7/7/03	Parish Council	Publish/Scheduled PH	
7/9/03	Department of Planning & Zoning	Recommended Approval	Planning Commission
7/9/03	Planning Commission	Recommended Denial	Parish Council
7/21/03	Parish Council	Motion	Pass

to accept additional information on File No. 2003-0225

7/21/03	Parish Council	PH Requirements Satisfied	
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Reported:
P & Z Department Recommended: Approval
Planning Commission Recommended: Denial

Speakers:
Mr. Neal Chulee, Luling
Ms. Mary Chulee, Luling
Mr. Mike Thibodaux, Luling
Mr. Brian Champagne, Luling
Mr. Stanford Caillouet, New Sarpy

7/21/03	Parish Council	Approved	Fail
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Proposed ordinance failed for lack of a majority by the following vote

8/4/03	Parish Council	Motion	Pass
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to deviate from the regular order of the Agenda to reconsider the vote of File No. 2003-0225

8/4/03	Parish Council	Reconsidered	Pass
8/4/03	Parish Council	Motion	Pass

to waive the rules to allow Mr. Durant to speak

8/4/03	Parish Council	PH Requirements Satisfied	
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Mr. Bob Lambert, Planning & Zoning Director, explained the situation.

Speakers:
Mr. Robin Durant, Hahnville

8/4/03	Parish Council	Approved	Fail
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VOTE ON THE PROPOSED ORDINANCE

Proposed ordinance failed for lack of a majority by the following vote

8/4/03	Parish Council	Motion	Pass
to return to the regular order of the Agenda			
5/27/09	Department of Planning & Zoning	Received/Assigned PH	
7/2/09	Department of Planning & Zoning	Recommended Approval	Planning Commission
7/2/09	Planning Commission	Recommended Denial	Parish Council
7/6/09	Parish Council	Publish/Scheduled PH	
7/6/09	Parish President	Introduced	
7/20/09	Parish Council	PH Requirements Satisfied	
Reported:			
P & Z Department Recommended: Approval			
Planning Commission Recommended: Denial			
Speakers:			
Ms. Gail Allemand, Hahnville			
Mr. Milton Allemand, Hahnville			
Ms. Pam Matherne, Hahnville			
Ms. Denise Naquin, Luling			
Mr. Robin Durant, Bayou Fleet Partnership, LLP			
7/20/09	Parish Council	Motion	Pass
to extend Mr. Durant's time an additional three minutes to allow him to speak on File Nos. 2003-0225, 2003-0226, 2003-0227, and 2003-0228			
7/20/09	Parish Council	Approved	Fail
VOTE ON THE PROPOSED ORDINANCE			
Chairman Authement stated for the record that Councilman Nass voted in error; he was against File No. 2003-0225.			
Proposed ordinance failed for lack of a majority by the following vote			
7/21/10	Department of Planning & Zoning	Received/Assigned PH	
9/2/10	Department of Planning & Zoning	Recommended Approval	Planning Commission
9/2/10	Planning Commission	Recommended Denial	Parish Council
9/7/10	Parish President	Introduced	
9/7/10	Parish Council	Publish/Scheduled PH	
9/20/10	Parish Council	PH Requirements Satisfied	
Reported:			
P & Z Department Recommended: Approval			
Planning Commission Recommended: Denial			
Speakers:			
Mr. Robin Durant, Bayou Fleet Partnership, LLP			
Mr. Steve Meyers, Hahnville			
Mr. Jim Glace, Hahnville			
9/20/10	Parish Council	Approved	Fail
Proposed ordinance failed for lack of a majority by the following vote			
9/20/10	Parish Council	Reconsidered	Pass
Discussion: to reconsider the vote on File No. 2003-0225			
9/20/10	Parish Council	Approved	Fail
VOTE ON THE PROPOSED ORDINANCE			
Proposed ordinance failed for lack of a majority by the following vote			
7/23/13	Department of Planning & Zoning	Received/Assigned PH	
9/5/13	Department of Planning & Zoning	Recommended Denial	Planning Commission

9/5/13 Planning Commission Recommended Denial Parish Council
 9/16/13 Parish President Introduced

S* 2003-0226 (9/16/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from B1 to B2 on a portion of the former Estate of Ulysses J. Keller, approximately 17.49 acres of batture near 15716 River Road between the intersections of Elm Street and River Park Drive with River Road in Section 1, T12S R20E and Sections 26 & 27, T13S R20E, Hahnville, La, as requested by Bayou Fleet Partnership, LLP.

Legislative History:

4/25/03 Department of Planning & Zoning Received/Assigned PH
 6/5/03 Department of Planning & Zoning Recommended Approval Planning Commission
 6/5/03 Planning Commission Recommended Approval Parish Council
 6/16/03 Parish President Introduced
 6/16/03 Parish Council Publish/Scheduled PH
 7/7/03 Parish Council PH Requirements Not Satisfied
 7/7/03 Parish Council Rmv'd and Reintroduced Pass

Discussion: to remove and reintroduce File No. 2003-0226 for Public Hearing on Monday, July 21, 2003

7/7/03 Parish Council Publish/Scheduled PH
 7/9/03 Department of Planning & Zoning Recommended Approval Planning Commission
 7/9/03 Planning Commission Recommended Denial Parish Council
 7/21/03 Parish Council Motion Pass

to accept additional information on File No. 2003-0226

7/21/03 Parish Council Amended Pass

Amendment: to amend the proposed ordinance in the Summary: approximately 173 east of the intersection of River Road ... to read approximately 173 feet east of the intersection of River Road...

7/21/03 Parish Council PH Requirements Satisfied

Reported:

P & Z Department Recommended: Approval
 Planning Commission Recommended: Denial

Speakers:

Mr. Stanford Caillouet, New Sarpy

7/21/03 Parish Council Approved as Amended Fail

VOTE ON THE PROPOSED ORDINANCE AS AMENDED

Proposed ordinance failed for lack of a majority by the following vote

8/4/03 Parish Council Motion Pass

to deviate from the regular order of the Agenda to reconsider the vote of File No. 2003-0226

8/4/03 Parish Council Reconsidered Pass

8/4/03 Parish Council Approved Fail

VOTE ON THE PROPOSED ORDINANCE

Proposed ordinance failed for lack of a majority by the following vote

8/4/03 Parish Council Motion Pass

to return to the regular order of the Agenda

5/27/09	Department of Planning & Zoning	Received/Assigned PH	
7/2/09	Department of Planning & Zoning	Recommended Approval	Planning Commission
7/2/09	Planning Commission	Recommended Denial	Parish Council
7/6/09	Parish Council	Publish/Scheduled PH	
7/6/09	Parish President	Introduced	
7/20/09	Parish Council	PH Requirements Satisfied	
Reported:			
P & Z Department Recommended: Approval			
Planning Commission Recommended: Denial			
Speakers:			
Ms. Gail Allemand, Hahnville			
Mr. Milton Allemand, Hahnville			
Ms. Pam Matherne, Hahnville			
Ms. Denise Naquin, Luling			
Mr. Robin Durant, Bayou Fleet Partnership, LLP			
7/20/09	Parish Council	Approved	Fail
Proposed ordinance failed for lack of a majority by the following vote			
7/21/10	Department of Planning & Zoning	Received/Assigned PH	
9/2/10	Department of Planning & Zoning	Recommended Approval	Planning Commission
9/2/10	Planning Commission	Recommended Denial	Parish Council
9/7/10	Parish President	Introduced	
9/7/10	Parish Council	Publish/Scheduled PH	
9/20/10	Parish Council	PH Requirements Satisfied	
Reported:			
P & Z Department Recommended: Approval			
Planning Commission Recommended: Denial			
Speakers:			
Mr. Steve Meyers, Hahnville			
Mr. Jim Glace, Hahnville			
9/20/10	Parish Council	Approved	Fail
Proposed ordinance failed for lack of a majority by the following vote			
7/23/13	Department of Planning & Zoning	Received/Assigned PH	
9/5/13	Department of Planning & Zoning	Recommended Denial	Planning Commission
9/5/13	Planning Commission	Recommended Denial	Parish Council
9/16/13	Parish President	Introduced	

S* 2003-0227 (9/16/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from B1 to B2 on approximately 35 acres (by deed) of batture located near 15476 to 15680 River Road, between the intersections of Hahn Street and Elm Street with River Road in Hahnville, La, as requested by Bayou Fleet Partnership, LLP.

Legislative History

4/25/03	Department of Planning & Zoning	Received/Assigned PH	
6/5/03	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/5/03	Planning Commission	Recommended Approval	Parish Council
6/16/03	Parish President	Introduced	

6/16/03	Parish Council	Publish/Scheduled PH	
7/7/03	Parish Council	PH Requirements Not Satisfied	
7/7/03	Parish Council	Rmv'd and Reintroduced	Pass
Discussion: to remove and reintroduce File No. 2003-0227 for Public Hearing on Monday, July 21, 2003			
7/7/03	Parish Council	Publish/Scheduled PH	
7/9/03	Department of Planning & Zoning	Recommended: Approval	Planning Commission
7/9/03	Planning Commission	Recommended: Denial	Parish Council
7/21/03	Parish Council	Motion	Pass
to accept additional information on File No. 2003-0227			
7/21/03	Parish Council	PH Requirements Satisfied	
Reported:			
P & Z Department Recommended: Approval			
Planning Commission Recommended: Denial			
Speakers:			
Mr. Brian Champagne, Luling			
7/21/03	Parish Council	Approved	Fail
Proposed ordinance failed for lack of a majority by the following vote			
7/21/03	Parish Council	Motion	Pass
to reconsider the vote on File No. 2003-0227			
7/21/03	Parish Council	Approved	Fail
Proposed ordinance failed for lack of a majority by the following vote			
8/4/03	Parish Council	Motion	Pass
to deviate from the regular order of the Agenda to reconsider the vote of File No. 2003-0227			
8/4/03	Parish Council	Reconsidered	Pass
8/4/03	Parish Council	Approved	Fail
VOTE ON THE PROPOSED ORDINANCE			
Proposed ordinance failed for lack of a majority by the following vote			
8/4/03	Parish Council	Motion	Pass
to return to the regular order of the Agenda			
5/27/09	Department of Planning & Zoning	Received/Assigned PH	
7/2/09	Department of Planning & Zoning	Recommended: Approval	Planning Commission
7/2/09	Planning Commission	Recommended: Denial	Parish Council
7/6/09	Parish Council	Publish/Scheduled PH	
7/6/09	Parish President	Introduced	
7/20/09	Parish Council	PH Requirements Satisfied	
Reported:			
P & Z Department Recommended: Approval			
Planning Commission Recommended: Denial			
Speakers:			
Ms. Gail Allemant, Hahnville			
Mr. Milton Allemant, Hahnville			
Ms. Pam Matherne, Hahnville			
Ms. Denise Naquin, Luling			
Mr. Robin Durant, Bayou Fleet Partnership, LLP			

7/20/09 Parish Council Approved Fail
Proposed ordinance failed for lack of a majority by the following vote
 7/21/10 Department of Planning & Zoning Received/Assigned PH
 9/2/10 Department of Planning & Zoning Recommended Approval Planning Commission
 9/2/10 Planning Commission Recommended Denial Parish Council
 9/7/10 Parish President Introduced
 9/7/10 Parish Council Publish/Scheduled PH
 9/20/10 Parish Council PH Requirements Satisfied

Reported:
 P & Z Department Recommended: Approval
 Planning Commission Recommended: Denial

Speakers:
 Mr. Jim Glace, Hahnville

9/20/10 Parish Council Approved Fail
Proposed ordinance failed for lack of a majority by the following vote
 7/12/13 Department of Planning & Zoning Received/Assigned PH
 9/5/13 Department of Planning & Zoning Recommended Denial Planning Commission
 9/5/13 Planning Commission Recommended Denial Parish Council
 9/16/13 Parish President Introduced

2013-0353 (9/16/2013, St. Pierre, Jr., Department of Planning & Zoning)

An ordinance to amend the Code of Ordinances, Chapter 6 Building and Building Regulations Article II Building and Related Construction Codes Section 14 Permit Application (I).

Legislative History

9/16/13 Parish President Introduced

2013-0354 (9/16/2013, St. Pierre, Jr., Department of Public Works)

An ordinance to amend the Code of Ordinances, Chapter 14 Miscellaneous Provisions and Offenses, Section 10.1 Obstructing Public Passages,

Legislative History

9/16/13 Parish President Introduced

2013-0355 (9/16/2013, St. Pierre, Jr., Department of Public Works)

An ordinance to amend the Code of Ordinances, Chapter 7 Drainage and Flood Control, Article I In General Section 1 Permitting fill material and debris to fall into and/or to block drainage ditches, canals, catch basins, or other drainage infrastructure.

Legislative History

9/16/13 Parish President Introduced

– **2013-0356** (9/16/2013, St. Pierre, Jr., Department of Public Works)

An ordinance to amend the Code of Ordinances, Chapter 10, Garbage and Waste, Article II, Uniform Solid Waste Management Systems to provide rules for tree removal and hauling.

Legislative History

9/16/13

Parish President

Introduced

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.

2013-0353

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances, Chapter 6 Building and Building Regulations Article II Building and Related Construction Codes Section 14 Permit Application (I).

WHEREAS, St Charles Parish desires to maintain the visual character of neighborhoods and streets; and,

WHEREAS, there exists situations when debris from construction and renovation activities has been placed in the rights-of-way and servitudes; and,

WHEREAS, it is the desire of St. Charles Parish to have debris generated by construction and renovation activities contained in approved containers and removed from the property in a timely manner and to implement penalties for noncompliance.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances Chapter 6 Building and Building Regulations Article II Building and Related Building Codes Section 14 (I) be amended to read as follows:

AS WRITTEN:

- (I) Copy of agreement with provider of service to contain or remove and haul off all construction debris, garbage, trash, etc. generated during construction to a state permitted disposal site. For minor residential permits the planning department may accept an alternative form of debris removal.

AS AMENDED:

- (I) Debris shall be contained in an approved container during construction or hauled off daily. A copy of the agreement with provider of service to contain or remove and haul off all construction debris, garbage, trash, etc. generated during construction to a state permitted disposal site must be included. For minor residential permits the Planning Department may accept an alternative form of debris removal. Failure to contain or haul off debris in accordance with agreement by any person or commercial vendor shall be convicted of a misdemeanor and violators upon conviction will incur penalties as defined in State Revised Statutes 14:100.1, penalty fine of not more than five hundred dollars (\$500.00) and / or imprisoned for not more than six (6) months, or restitution of costs incurred by the Department of Public Works as determined by the court for each offense.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this ____ day of _____, 2013, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2013-0354

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances, Chapter 14 Miscellaneous Provisions and Offenses, Section 10.1 Obstructing Public Passages.

WHEREAS, St Charles Parish desires to maintain the visual character of neighborhoods and streets; and,

WHEREAS, there exists situations when debris from residential construction and lawn maintenance has been placed in the rights-of-way and servitudes; and,

WHEREAS, it is the desire of St. Charles Parish to prevent debris generated by residential construction and lawn maintenance from obstructing public passages and removed from the property in a timely manner and to implement penalties for noncompliance.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances Chapter 14 Miscellaneous Provisions and Offenses, Section 10.1 be amended to read as follows:

AS WRITTEN:

- (a) That it shall be unlawful for any person to willfully obstruct the free, convenient, and normal use of any public sidewalk, street, servitude, highway, bridge, alley, road or other passageway, or the entrance, corridor, or passage of any public building, structure, water craft or ferry, by impeding, hindering, stifling, retarding, or restraining traffic or passage with any private structure or basketball goal, either permanent or movable.
- (b) Obstructing public passages is considered a misdemeanor and violators upon conviction will incur the same penalties as defined in State Revised Statutes 14:100.1.—Penalty fine of not more than five hundred dollars (\$500.00) or imprisoned for not more than six (6) months, or both fined and imprisoned.
- (c) This section will not be applicable to the erection or construction of any barricades or other forms of obstructions as a safety measure in connection with construction, excavation, maintenance, repair, replacement or other work, in or adjacent to any public sidewalk, street, servitude, highway, bridge, alley, road or other passageway, nor to the placing of barricades or other forms of obstruction by governmental authorities, or any officer or agent thereof, in the proper performance of duties.

AS AMENDED:

- (a) That it shall be unlawful for any person to willfully obstruct the free, convenient, and normal use of any public sidewalk, street, servitude, highway, bridge, alley, road or other passageway, or the entrance, corridor, or passage of any public building, structure, water craft or ferry, by impeding, hindering, stifling, retarding, or restraining traffic or passage with any private structure or basketball goal, either permanent or movable.
- (b) Obstructing public passages is considered a misdemeanor and violators upon conviction will incur penalties as defined in State Revised Statutes 14:100.1, penalty fine of not more than five hundred dollars (\$500.00) and / or imprisoned for not more than six (6) months, or restitution of costs incurred by the Department of Public Works as determined by the court for each offense.

- (c) This section will not be applicable to the erection or construction of any barricades or other forms of obstructions as a safety measure in connection with construction, excavation, maintenance, repair, replacement or other work, in or adjacent to any public sidewalk, street, servitude, highway, bridge, alley, road or other passageway, nor to the placing of barricades or other forms of obstruction by governmental authorities, or any officer or agent thereof, in the proper performance of duties.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2013, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2013-0355

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances, Chapter 7 Drainage and Flood Control, Article 1 In General Section 1 Permitting fill material and debris to fall into and/or to block drainage ditches, canals, catch basins, or other drainage infrastructure.

WHEREAS, St Charles Parish desires to maintain the visual character of neighborhoods and streets; and,

WHEREAS, there exists situations when debris from residential construction and lawn maintenance is being placed in drainage ditches, canals, and blocking catch basins; and,

WHEREAS, it is the desire of St. Charles Parish to provide and maintain a properly functioning drainage infrastructure system by preventing residential construction and lawn maintenance from being placed in vital drainage infrastructure and removed from the property in a timely manner and to implement penalties for noncompliance.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances Chapter 7 Drainage and Flood Control, Article I In General, Section 1 be amended to read as follows:

AS WRITTEN:

- (a) It shall be unlawful for any person to allow any fill material such as dirt, sand, gravel, etc., and/or any other material or debris to be placed such that 1) its placement impedes flow in any drainage ditch or canal, or 2) it blocks flow into any catch basins or any other drainage infrastructure under the jurisdiction of the parish council.
- (b) Any person found guilty of violating the provisions of this section shall be fined not more than one hundred dollars (\$100.00), or imprisoned for not more than thirty (30) days, or both, at the discretion of the court for each offense.

AS AMENDED:

- (a) It shall be unlawful for any person to allow any fill material such as dirt, sand, gravel, etc., and/or any other material or debris, generated by property owner or hired commercial vendor, to be placed such that 1) its placement impedes flow in any drainage ditch or canal, or 2) it blocks flow into any catch basins or any other drainage infrastructure under the jurisdiction of the parish council.
- (b) Any person or commercial vendor found guilty of violating the provisions of this section shall be convicted of a misdemeanor and violators upon conviction will incur penalties as defined in State Revised Statutes 14:100.1, penalty fine of not more than five hundred dollars (\$500.00) and / or imprisoned for not more than six (6) months, or restitution of costs incurred by the Department of Public Works as determined by the court for each offense.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this ____ day of _____, 2013, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2013-0356

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances, Chapter 10, Garbage and Waste, Article II, Uniform Solid Waste Management Systems to provide rules for tree removal and hauling.

WHEREAS, residents are compelled to remove trees and brush from their properties; and,

WHEREAS, residents frequently cut trees and brush and deposit the remains along public rights-of-way, servitudes and ditches; and,

WHEREAS, such activities impede drainage and public passage on and across public rights-of-way and servitudes; and,

WHEREAS, the costs of removing very large trees and accumulations of branches is prohibitive.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Chapter 10, Article 2 10-19(1)i shall be supplemented by adding the following:

1. Piles of limbs and branches ten (10) cubic yards in size or less will be removed by boom trucks or by hand as provided by the solid waste contractor for the Parish.

SECTION II. That the St. Charles Parish Code of Ordinances, Chapter 10, Article 2 10-19(2) should be supplemented by adding the following:

- p. The land owner is prohibited from stacking limbs and branches in drainage ditches in such a manner that drainage would be impeded nor shall land owners stack limbs and branches along public streets in such a manner that would impede traffic flow.
- q. Any land owner who fells a tree having a diameter of six inches or greater at the cut line or debris generated from the removal or maintenance of trees and other vegetation that is greater than ten (10) cubic yards is responsible for the removal of the tree, its limbs and branches, or the land owner has the obligation to inform the contractor that the contractor has the obligation to remove the cut tree and/or debris generated from the premises and to haul it to a proper landfill.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this ____ day of _____, 2013, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____